IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT AT ROANOKE, VA FILED

JUL 2 7 2005

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Ronald Salyer,)
Plaintiff,) Case No. 7:05CV00269
v.) <u>FINAL ORDER</u>
CACV OF COLORADO, LLC, et al.	By: Hon. James C. Turk
Defendants.	Senior United States District Judge

This case is before the court on the parities cross-motions for summary judgment. (Dkt. Nos. 9 & 12). For the reasons stated in the accompanying Memorandum Opinion, it is

ADJUDGED AND ORDERED

that the defendants' motion for summary judgment be **GRANTED**, the plaintiff's motion for summary judgment be **DENIED**, and any state law claims be **DISMISSED WITHOUT PREJUDICE**.

The plaintiff is advised that he may appeal this decision pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure by filing a notice of appeal with this court within 30 days of the date of entry of this Order, or within such extended period as the court may grant pursuant to Rule 4(a)(5).

The Clerk of Court is directed to send certified copies of this Order and the accompanying Memorandum Opinion to the plaintiff and to counsel of record for the defendants.

ENTER: This $\frac{\sqrt{27}}{2}$ day of July, 2005.

Senior United States District Ludge